



May 28, 2013

## **RESPONSE TO QUESTIONS RFP 2013-05**

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### **ENVIRONMENTAL MITIGATION FOR I-80/I-680/SR 12 INTERCHANGE – PHASE 1 PROJECT**

**To provide California Red-Legged Frog, Callippe Silverspot Butterfly, and  
Oak Woodland/Riparian Habitat**

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This notice is to inform all prospective bidders of the above referenced Request for Proposal (RFP) that the Solano Transportation Authority (STA) is responding to questions posed in response to this RFP. These responses/clarifications shall be considered to be an amendment to the RFP. Bidders shall consider these responses/clarifications in the proposal and cost proposal. Any further questions must be submitted to STA by 3:00 PM on May 31, 2013 via email to [jadams@sta-snci.com](mailto:jadams@sta-snci.com). Any future responses or revisions to the RFP will be posted solely on the STA website at [www.sta.ca.gov/](http://www.sta.ca.gov/) no later than 5:00 p.m. on June 4, 2013. It is the proposers' responsibility to check the STA website for any further responses or revisions to the RFP prior to submittal by 3PM on June 7, 2013.

Question No. 1: We wanted to clarify the mitigation acreages since there appeared to be a discrepancy between those listed in Table 1 and in Exhibit D - Bill of Sale. We wondered if the Bill of Sale might just be an example without actual mitigation acreages in it but since the numbers were close we wanted to double check.

Response No. 1: Proposals should be based on providing the compensation requirements listed in Table 1 of the RFP.

Question No. 2: We also want to better understand when you anticipate awarding the actual mitigation funds? Is the "contract execution" (presumed by Nov 30 or shortly thereafter per the RFP) analogous with mitigation purchase? Would this be a one-time lump sum payment or would it be spread over time coincident with timing of impacts. While we realize projects of this scale involve a level of uncertainty with respect to timing, if you can provide an estimated timeframe that would be ideal and would really help us in our planning and presentation.

Response No. 2: It is STA's current intent to place a lump sum for the mitigation purchase in escrow upon contract execution. Regarding the timeline, please see Response No. 3 below.

Question No. 3: Related to the previous question and regarding the November 30 mitigation approval deadline: is mitigation plan approval by the resource agencies synonymous with mitigation availability/implementation? The agencies may approve a mitigation plan by November but the mitigation may not be needed for several months or even a year depending on project impacts. This is important to understand for several reasons. For example, would the oak woodland and riparian mitigation need to be implemented imminently upon approval? Native plant revegetation installation typically occurs in late October to early November for best success – a post-contract approval (e.g. December) installation may be less ideal from a success perspective then waiting until the following fall. Understanding this requirement will help us in preparing the schedule portion of our proposal.

Response No. 3: Implementation of the Conservation Easement is required at the close of escrow, anticipated to be by December 31, 2013. Riparian and oak woodland planting is anticipated to be required to commence within six months of initiating interchange construction, anticipated to be March 2014.

Question No. 4: We were also curious about being able to provide flexibility in our mitigation proposal. As you know we are pursuing bank approval with USFWS. While we feel the approval will be easily feasible before the November deadline, we would like to be able to provide flexibility to best serve your needs. Providing mitigation as a turn-key opportunity that is carved out of our larger bank property is a real possibility that should be easy for us in case the bank approval itself is delayed for some reason. Is it acceptable to STA if we present a hybrid approach like this?

Response No. 4: Proposals should clearly indicate the ability to obtain resource agency approval of the mitigation plan by November 30, 2013, implementation of the Conservation Easement by close of escrow, anticipated to be by December 31, 2013; and riparian and oak woodland planting within six months of initiating interchange construction, anticipated to be March 2014.

Question No. 5: Related to Item 5 of the required proposal submittal “*Implementation Plan and Schedule*”, we were hoping to understand the approval process a little better. Notice of intent to award by STA is estimated the week of June 17. Once that occurs do you submit the selected proposal to USFWS and RWQCB for their approval? Does the selected proposer wait to be contacted by the agencies, or is there a formal process/meeting soon thereafter to bring all parties together to discuss the proposal? While 5 months for approval sounds like plenty of time, we have copious studies of our property that the agencies will need to review, and these processes can drag on for some time as I am sure you are familiar with. Understanding the process by which you envision the approval to occur will help us in preparing the proposal.

Response No. 5: Once a mitigation provider is selected and a notice of intent to award a contract is issued, STA/Caltrans will facilitate a formal process with the resource agencies to review the proposed mitigation. The selected mitigation provider will be responsible for preparing all necessary documents and studies necessary to obtain resource agency approvals as described in the RFP. STA/Caltrans will be responsible for submitting all reports/studies to the resources agencies.

Question No. 6: While the 3.33 acres of riparian habitat mitigation is discussed in the RWQCB Water Quality Certification, there is no mention of the additional acreage of Oak Woodland mitigation that the RFP identifies. The USFWS Biological Opinion does not mention the oak woodland mitigation either. There is a short description of oak woodland mitigation in the project CEQA document, but no acreage is given and the monitoring requirements for that mitigation is 3 years as opposed to the 10 years required for the riparian habitat. While the RFP and CEQA document lists 5 species to include in the oak woodland mitigation, the CEQA document also requires that similar species be used for mitigation as those impacted. There is not a defined list of oak woodland species impacted by the project. Furthermore the CEQA document identifies the USFWS as the approval agency for the oak woodland mitigation plan but this is not clear in the RFP. Can you please provide more information on the oak woodland mitigation related to specific acreage, responsible permitting agency, monitoring requirements, etc.?

Response No. 6: Clearly indicate the mitigation providers ability to meet the RFP requirement of agency approval by November 30, 2013 and implementation by close of escrow anticipated to be by December 31, 2013. The 12 acres of oak woodland mitigation requested is to comply with the CEQA mitigation requirement. The acreage has been determined based on the most current engineering design plans for the project. Of these 12 acres, 3.33 acres must be creation of riparian habitat meeting Regional Water Quality Control Board requirements. STA expects the RWQCB to require 10 years of monitoring for these 3.33 acres of created riparian habitat. The remainder of oak woodland habitat created will require a minimum of 3 years of monitoring but will not require resource agency approval.